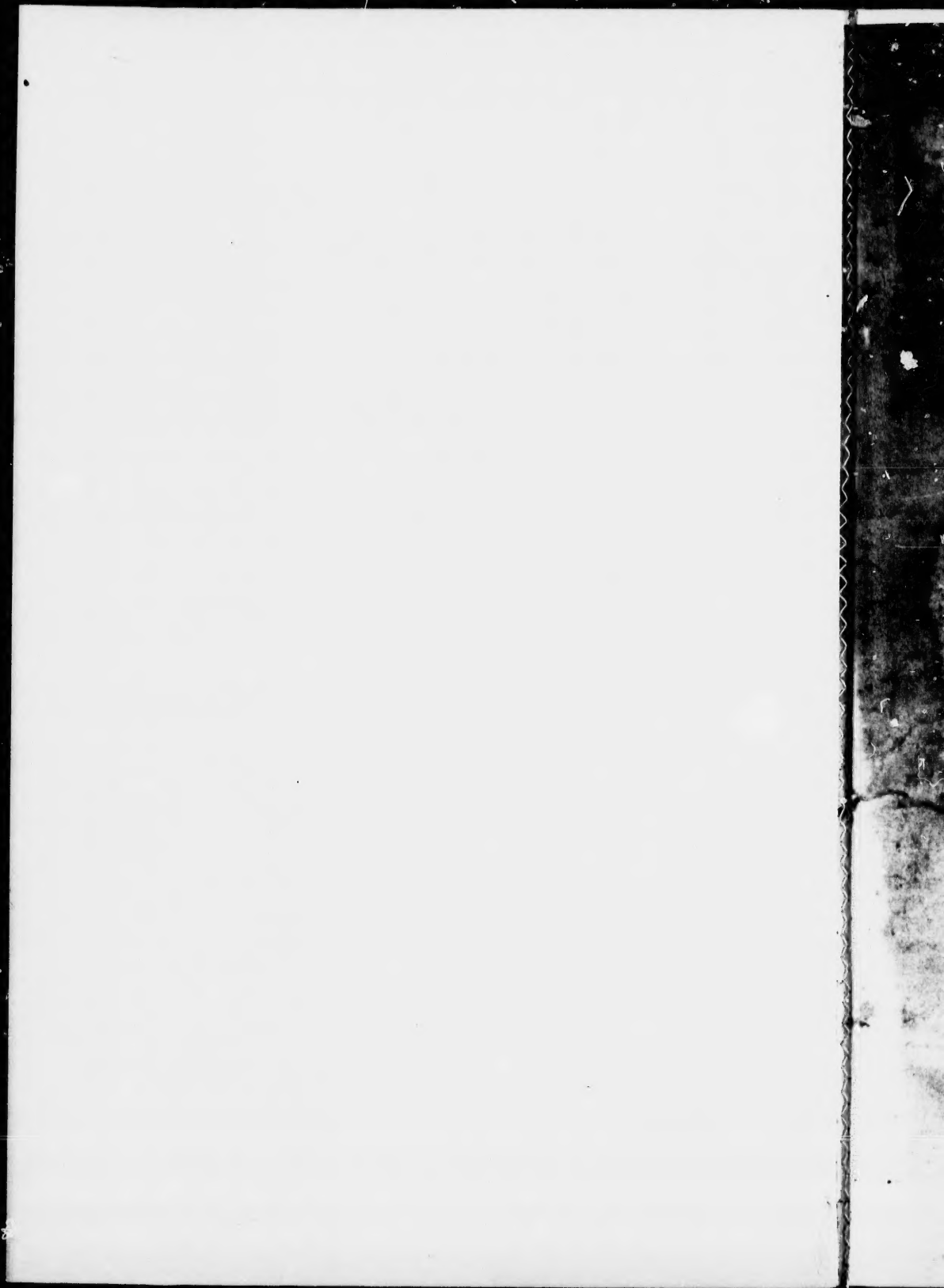




Police

THE

Banquet

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NECESSITY OF REFORM.

TRACT FOR THE TIMES;

ADDRESSED TO THE

Colonists of Vancouver Island.

BY ONE OF THE PEOPLE.

"If there's a hole in a' your coats,
I rede you tent it;
There's a cheil'd amang you taking notes,
And faith he'll prent it."—BURNS.

VICTORIA:

PRINTED AT THE BRITISH COLONIST OFFICE.
1859.

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THE NECESSITY OF REFORM.

...
"Something is rotten in the State of Denmark."—HAMLET.

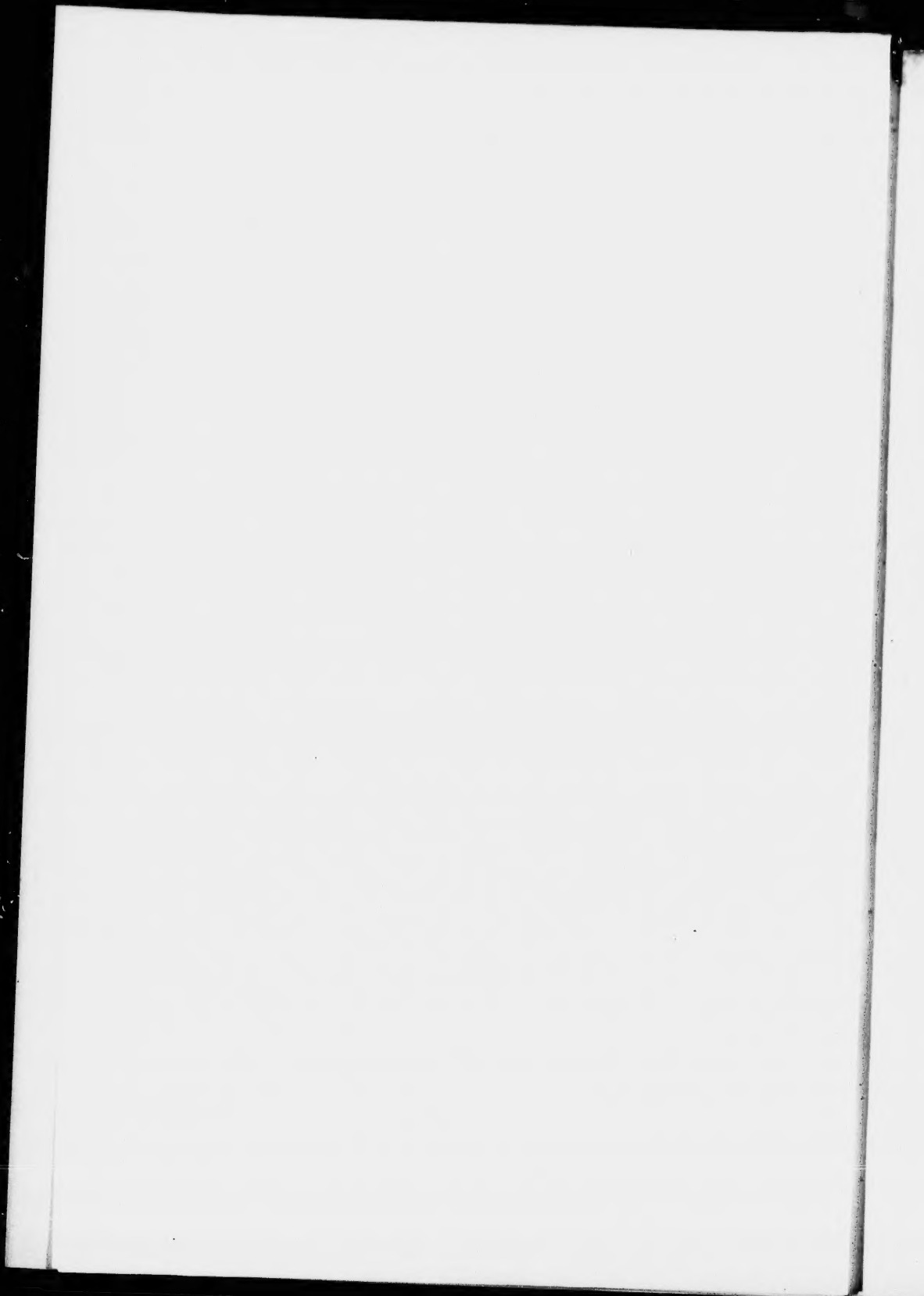
FELLOW-COUNTRYMEN:—The tocsin of reform is sounding through the length and breadth of our Fatherland. A demand is made for reform in the Administration, a reform in the Electoral division of the country, and a considerable extension of the Franchise. The people have learned the great social truth, that liberty is essential to material prosperity. Can that liberty exist where the Elective Franchise is absorbed by a few landed proprietors? The answer must be an universal NO! And that answer is responded to, by peers and peasants, by premiers and secretaries, by lawyers and priests, by the merchant and the mechanic.

Political rights are the schooling, the perfecting, of the true citizen; and every man who has a share in the government strengthens the country in which he has made his home. Political freedom—a share in the general self-government—is ennobling. It behooves then every well ordered commonwealth to bring as many full citizens to their country's aid, who will prove themselves ready for the duties of their station. The people demand a participation in the government, in the making of the laws which they are to live under, and are expected to obey.—Who will refuse them?

The people demand knowledge, as necessary to self-government; and upon what broader basis can a government exist, than on that of liberty and knowledge? But there are those who do not believe in man's capacity for self-government. How then is he to be made capable, except by the dissemination of knowledge and of truth. It is from these sources that both the social and individual happiness of man must spring; progress and civilization will flow on from such a source and expand into a mighty stream.

The interests of labour and education are closely interwoven with our form of government, and should make a part of our social system. Charles James Fox has said, "That principle of representation is the best which calls into activity the greatest number of independent votes, and excludes those whose condition takes from them the power of de-

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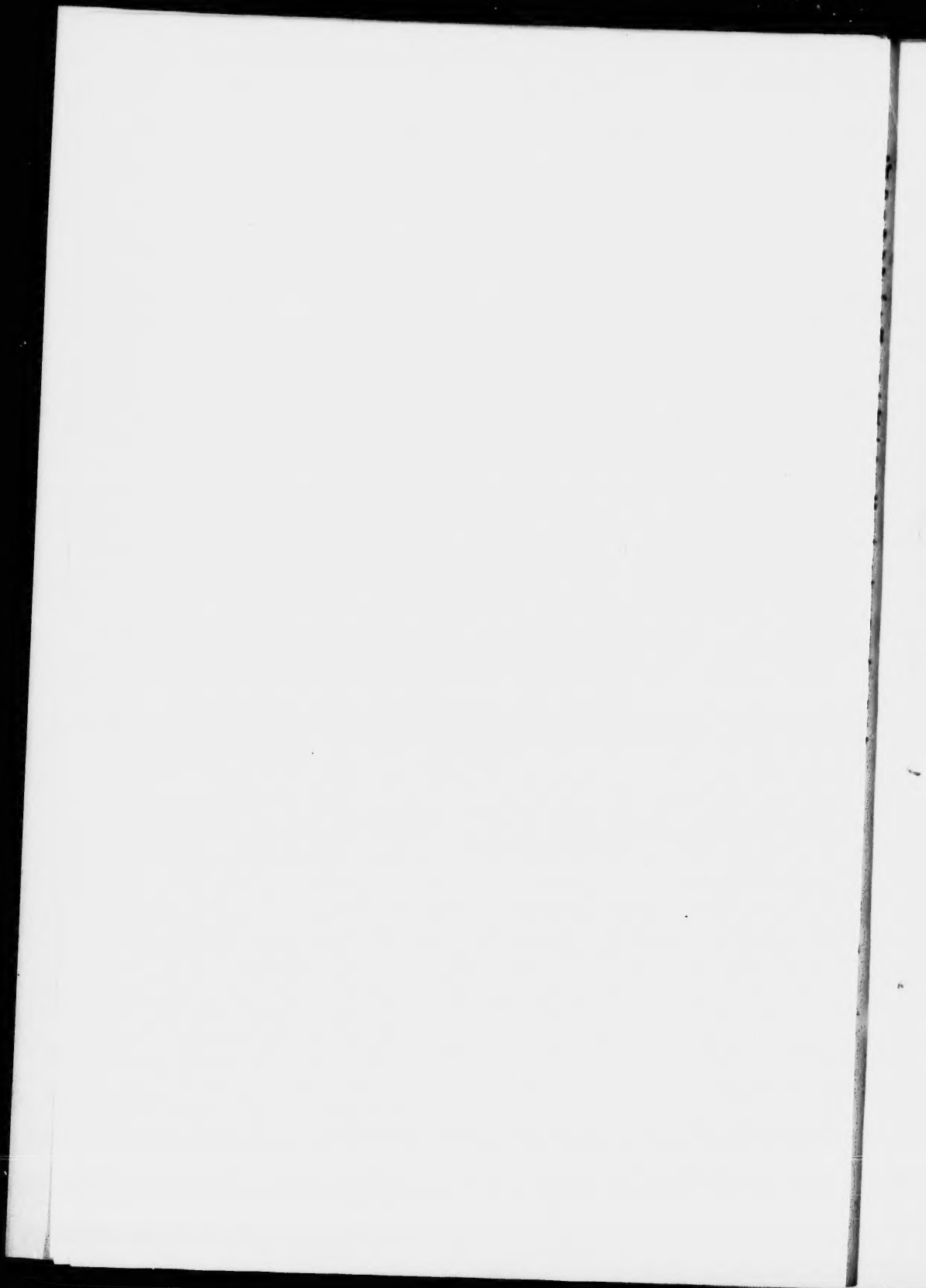
liberation." "To be free," said that great statesman Daniel Webster, "the people must be intelligently free. To be the safe depositors of political power, they must be able to comprehend and understand the general interests of the community." And now to look upon our own position, to canvass our rights and privileges, and to see if authority has not been usurped by individuals which belongs to the great body of society. What is our position, and who are the qualified Electors?

The present restricted Franchise deprives a large number of our fellow-countrymen of their just Electoral rights; entails on the Colony bad Legislation and an irresponsible policy; and demands a radical reform in the Representation and the Representatives of the people. To this proposition a large majority of the people say—Aye! The qualification for the high privilege of exercising the right of voting for a member of the Legislature is confined within the narrow circle of holders of twenty acres of land. Thus, the householder, the merchant, the ship owner, that large and intelligent portion of society who occupy offices for their business, and live in lodgings—Englishmen by birth, Englishmen in heart and in habits, are cut off from having a voice in determining who shall legislate for their interests. It is obvious that a constituency chained down to such a limit must be influenced directly, and indirectly, by the great monopolizing company, who are large proprietors of land, and who make their interests paramount, and all other bend to their profit and advantage.

It is not necessary for us now to enquire whether the Electors are half-breeds or white men—whether they were old worn out servants and pensioners of the Hudson's Bay Company—or whether they ever paid the Government for the land upon which they claim to vote. These questions will be asked, and will have to be answered on some future day—our heads are not all wool gathering. But if the Colony is to be settled according to the spirit of the British Constitution—if the Government is to be modelled after the manner which experience has taught to be the best, both in Canada and Australia—if a system is adopted that would be in accordance with the sentiments of the thinking portion of the community, then, wisdom, order, and free institutions must prevail.

The present system is a monopoly—an iniquity. The great Supreme has given to man intellect and intelligence, and he who obstructs, by antediluvian ideas, the exercise of those powers can be no friend to the human family. In a well organized settlement the interests of all must be truly and honestly represented; and there must be a recognition of individual responsibility on the part of the people.

The improvement desired is not that one class shall grasp the power from another, or become dominant, (as at present in the Legislative Assembly and Executive Council,) but that the combined action of all shall compel "each class to do its duty." If the Electors have power to compel the rulers to abstain from jobbery—if they keep the path open for ability in all classes—and if they adopt a plan of government free from Hudson's Bay Company, and family influences, then they may hope to promote such measures of reform as are in accordance



with the progressive spirit of the age and the rising intelligence of the colony. There are those amongst us who feel that they have entered upon "a new phase of time," and on a new section of the world—men of knowledge and experience who are not likely to submit to leading strings, or to be deluded by shams. It is a matter of history that if Louis Phillippe had raised the electoral body from two hundred thousand to half a million, the reform would have satisfied France and he might have held the throne. But when they could not approach to any thing like true representation—when the true powers of the Nation were used for "the monopolist benefit of a bought and sold clique," they burst their bonds and declared for universal suffrage; which ultimately led to despotism. Sir James Mackintosh has said—"The dangers of Europe do not originate in democratic power, but in a conspiracy for the subversion of all popular rights, however sanctioned by oaths, by constitutions, and by laws." Rulers and Governments should be warned by the downfall of the citizen king.

Universal suffrage, however, is a bug-bear. Those of us who have resided in the United States, and observed the working of the principle, can afford to smile at the notion of taking for a model an American election, or appealing to the sacredness of the ballot. There every election is carried by the bribery of all the offices, either Federal or State. "The road to the ballot box is not through their own schools, or even by successive training." It is swamped by ship loads of German and Irish emigrants. "The genius of the Constitution of America, is representation of numbers; that of Great Britain, of class." The British people cannot adopt the American custom; they consider that the safety of reform is in "the manly virtue of the enfranchisement," and they know that personal liberty and safety are better assured, and that public opinion is more faithfully represented, and acts with a better regulated power, than in the United States. They deem it necessary "that the recipient of the franchise is a citizen fully responsible for the duties of citizenship, and the natural tendency of whose position, will be to make him take a sincere interest in the commonwealth, rather than to play with his share of power for any momentary passion or any contemptible bribe."

The question of Political Reform is a very important question. The admission that reform is needed, brings us at once to the conclusion that the Legislative Assembly does not represent the interests of the colonists. To the question, what reform is needed? it is answered—a real honest representation. A substitute for what exists at the present time, and which, to a certain extent, is not honest. A full, free, and fair representation is required—a franchise based upon a principle so that "popular intelligence, popular interests, popular virtue," can play their part in making the laws which the Legislative Assembly call upon us to obey.

The people want to see an infusion of new and popular materials into the Executive Council, which has hitherto been composed of "three Chief Factors" of the Hudson Bay Company. They want a reform that will give them twenty members instead of seven, that will

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bring nearer to a balance those who advocate open, wide-spread legislation, and take cognisance of their general interests, to weigh down the monopolists whose actions are selfish and exclusive. Does the present Legislature meet the requirements of the times?

Is there any thing unconstitutional in these demands? It has been recently asked—What is the British Constitution? The reply is popular and correct: "It is not a thing meant entirely for the Crown. The Crown has its limits by act of Parliament and by custom. Nor is it intended merely for an hereditary Peerage. The House of Lords has its prerogatives and its privileges well defined. The Constitution does not confine itself to caring for the Monarch on the throne or for the Peer in his gilded chamber." The Constitution regards the House of Commons, or with us the Legislative Assembly, as the house of the people; and it professes to take within its pale all these populations and these interests, and give them as complete a shelter, and as complete a voice as is given to the Queen or the Peerage. In a word, what is wanted, is a Legislative Assembly in Vancouver's Island, elected by as many of the people as shall give a fair expression of the people's wishes, and vindicate their rights. A renowned statesman and poet in speaking of the guardian power and supremacy of Constitutional Law, in the British dominions, expresses himself in the following glowing terms:

"Her glorious fabric England rears.

On Law's fixed base alone;

Law's guardian pow'r while each reveres,

England! thy people's freedom fears

No danger from the throne.

For there, before almighty Law,

High birth, high place, with pious awe,

In reverend homage bend:

There's man's free spirit, unconstrained,

Exults, in man's best rights maintained.—

Rights, which by ancient valor gain'd

From age to age descend.

Britons, by no base fear dismay'd,

May power's worst acts arraign

Does tyrant force their rights invade?

They call on Law's impartial aid.

Nor call that aid in vain.

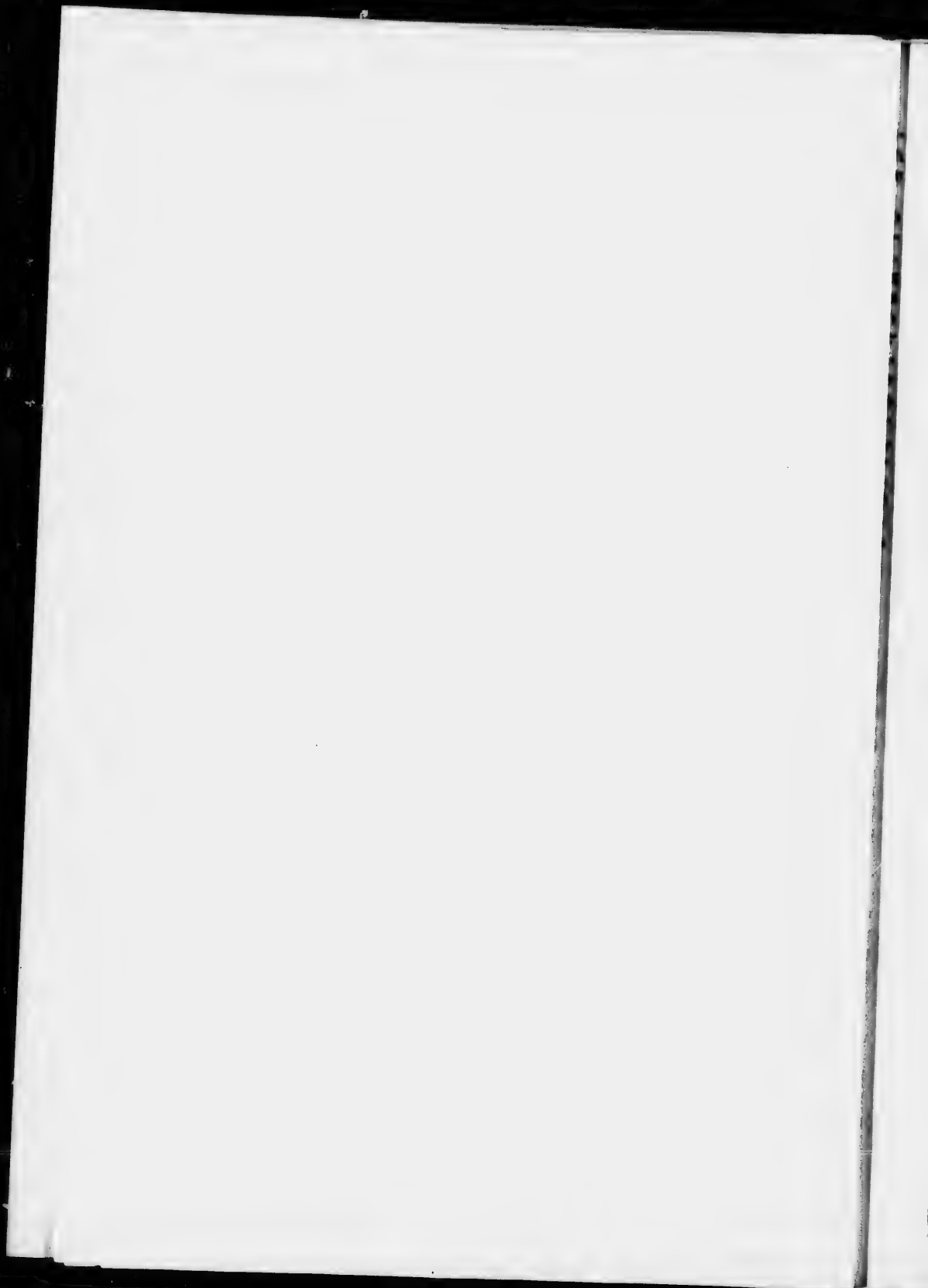
Hence, of her sacred Charter proud,

With every earthly good endow'd,

O'er subject seas unfurl'd

Britannia waves her standard wide."

Seven members constitute the Legislative Assembly at present. The Hudson's Bay Company engross five out of that number. Might not other parties now be found more capable of expressing the opinions of the residents, and improving the condition of the colony. It has been observed that hitherto the community has been satisfied with the



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constitution of the Assembly-- (there are none so deaf as those who won't hear.") Why? The reason was, because they knew the difficulty of obtaining suitable men, who would faithfully represent them, and not suffer themselves to be dogmatized over by the metropolitan party. It is perhaps presuming upon this seeming apathy that led the Executive to venture upon trifling with the Assembly, and through them the people, in relation to the extension of the Franchise Bill, that was sent by them twenty months ago. Would it not be wisdom to immediately withdraw that bill and enact a law with more extended and enlarged views, extending the franchise and creating electoral districts, to meet the requirements of a vastly increased and increasing community. The bill so long before the Executive, be it remembered, was drawn when emigration was little thought of to this colony.

It has been remarked in another page, that the "representation to a certain extent was not honest." To sustain that assertion it is asked: How the hon. member for Nanaimo obtained his seat? Common report boldly asserts, that he was not legally or constitutionally elected. This is a slur upon the Assembly. Has no hon. representative the pluck to challenge the intruder, and compel an inquiry, so that the truth may be elicited, the character of the House sustained, and the promoters of a fraud, if any, exposed and punished.

To say that there is a member for Sooke is another absurdity, if not a fraud. The gentleman who was elected has assisted at the deliberations of the Assembly about four (!) times within two years. Perhaps the majority party did not wish to disturb his repose, and he himself judging from his neglect, seems to care very little for the interest of his constituents, or the fate of the colony. This is another of these shams of which the public justly complain. Let us have "the right men in the right place." Let us have "fitness not favour."

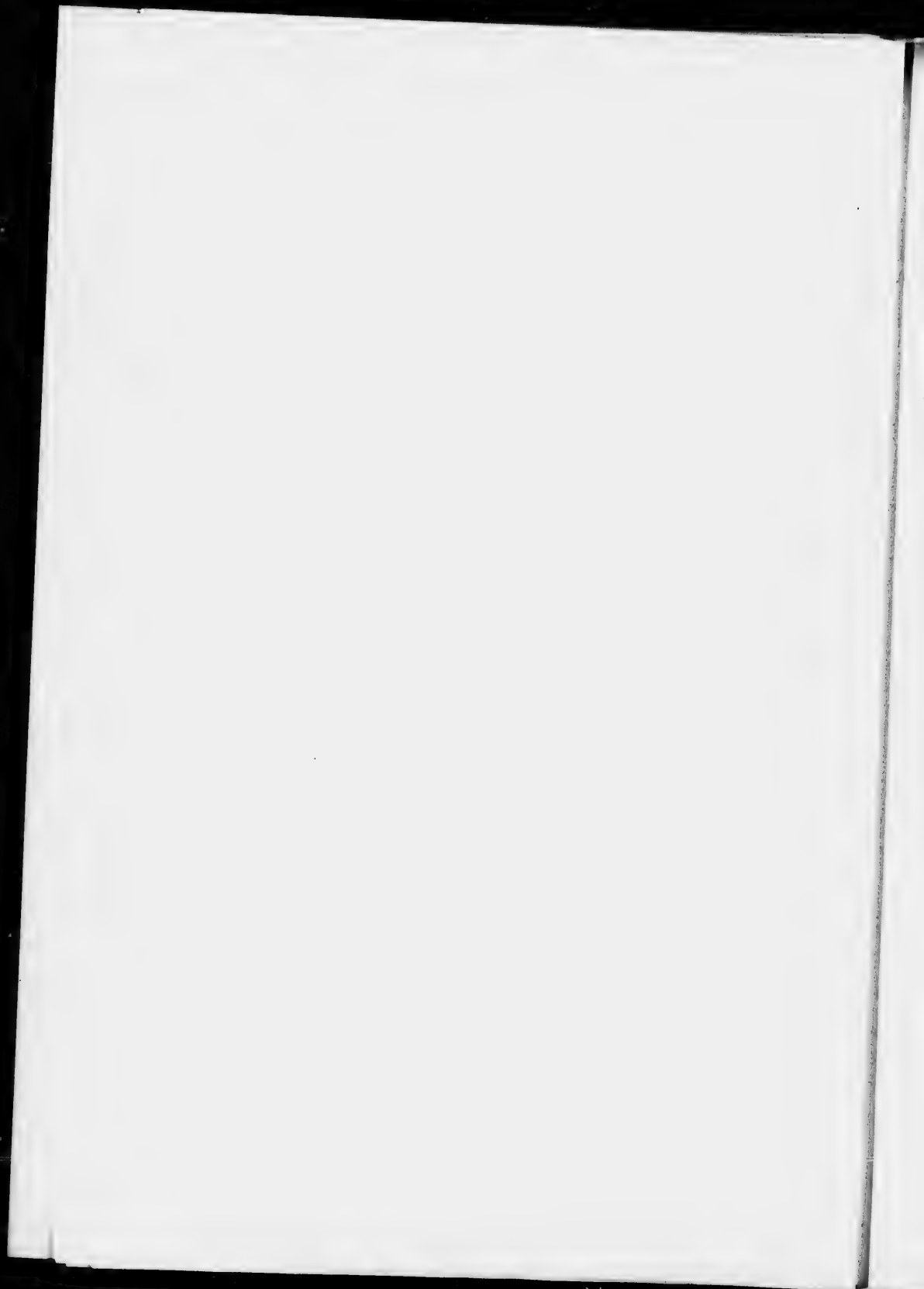
"Who shall go about

To cozen fortune, and be honourable.

Without the stamp of merit? Let none presume

To wear an undeserved dignity."

The time is not far distant when it will be required that taxes must be levied for the support of the establishment of the colony, and for necessary public works. The government will then find that "taxation without representation" is a doctrine that is fully understood, and will be rigidly adhered to by every true Englishman. It would be a wise council to anticipate that time, by constitutional measures of reform. What measures may be brought forward in addition to "that bill" which the Council seem desirous of smothering, is not known; but we may be satisfied it will not be either universal suffrage or vote by ballot, after San Francisco fashion; neither will the House adopt the Chartist principle of manhood suffrage. There are many theories canvassed in Great Britain at the present time. Some take as a basis, the qualification of the electors for the Guardians of the poor, and which has existed since the days of Queen Elizabeth. Others ask for the same system of voting adopted in the election of municipal officers, while a large body of the people desire a four pound household suff.



rage. Again there are those who object to the franchise being limited to householders, as excluding from the poll a very large and intelligent portion of the community. An able writer upon the subject observes that in the class of lodgers, whom a rigid household suffrage would exclude, I find no small portion of the intellect of the country. Where, but there, are most of our newspaper writers, who collect the materials for public opinion, arrange them, argue upon them, and contribute largely to the formation and guidance of that opinion? Some such, by their pamphlets, ~~and~~ our great statesmen and leading Parliamentary orators with facts and arguments. What, indeed, is almost any member of Parliament but a secretary, who moves the wires, though he may not occupy the same platform as the puppet, and who has not even a vote for the creature whom he crams? Then, again, prophets have their room like those of old; but, at first, very seldom a house. Many a preacher helps us to get into heaven who has not the means of helping a candidate to get into Parliament. They are, by example, guides to glory, but not to the poll booth. A bishop, or a congregation, may certify to their ability to teach on the most important subjects, but their judgment of a politician depends on the rent they pay, and upon whether they pay it to one who lets houses, or only to one who lets lodgings. The writer of your weekly Essays, whom I always read with admiration, and generally with cordial acquiescence, says of household suffrage that it "makes no distinction of persons or classes, because the poorest head of a family will have it, and the richest bachelor at the Albany will be without it." Now, sir, if I remember rightly, there was once a person who qualified, or sought to qualify, as a voter for chambers in the Albany, who not only sat in, but led the House of Commons, and was entrusted with the administration of the finances of the country. That is surely something in favour of a suffrage which includes lodgers." But whatever the franchise may be that the Assembly in their wisdom may propound, it is hoped that all who value the good order and good government of the country, will advocate a measure to improve, purify, strengthen, and to enlarge the representative system.

Another quotation on this important subject may not be out of place. The writer says:—"We do not affect to dogmatise on this great subject of reform. Public opinion, we verily believe, is almost purely candid upon it. The nation 'prays that the right may thrive.' The press, when the struggle comes on, must be the critic not the suggester of measures. Its office will be to expose dangerous frauds, and to advocate misunderstood benefits. Now it has mainly to protect against the exclusion from a share of power of capable men, the neglect of large unrepresented classes, the denial of fair hopes to perfectly honest aspirants; and, far above all, against the working of any system in such a fashion as to tempt rather than to bar out unpatriotic selfishness. We want the absolute power of crushing jobbery and waste, and excluding incapability from office. When what is now shadowy in the intents of parties assumes a palpable shape, it is in this sense, especially as to the last clause, that we shall deal with what comes before us."

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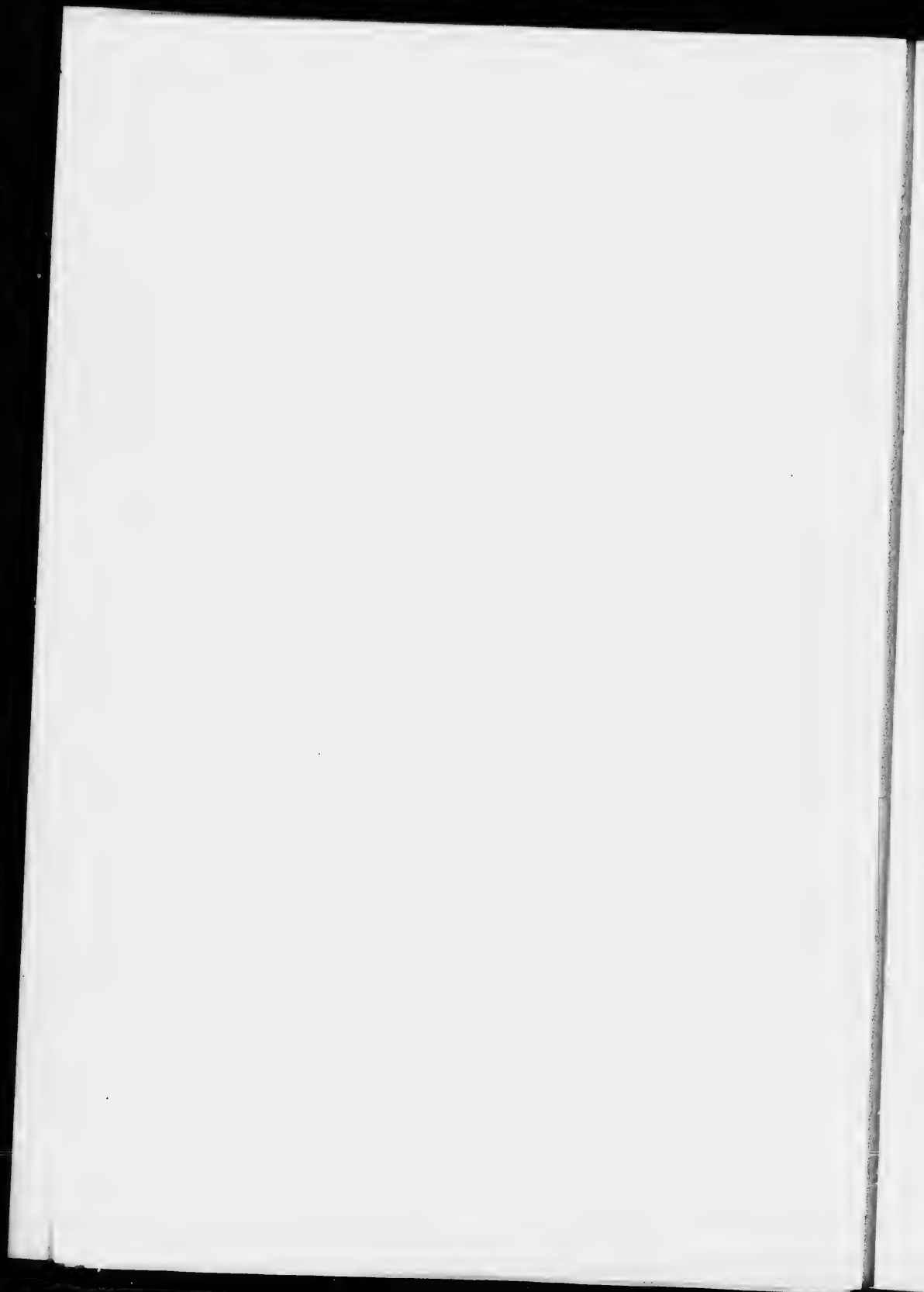
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The Speaker of the House of Assembly startled the community by proposing the following resolution, at one of its late sittings, as a test of qualification, that persons should swear that "I, C. D., sincerely declare that I am a natural born subject of Her Majesty, and have never changed my allegiance, and have never declared my intention to become a naturalized citizen of any foreign state or power, according to the laws and customs of such foreign state or power." Now, Mr. Speaker, Dr. Franklin, has said, "If you have a good principle, go through with it." Carry out your proposition, and what becomes of the office holders who are whitewashed Yankees in a British Colony? They surely cannot hold office who have sworn allegiance to the "Stripes and Stars." What, then, will become of your Collector of Customs? of your learned and competent Crown Solicitor? of the Registrar of the Supreme Court? of your favored contractors? of a number of persons who have been lately appointed to petty offices, and the crowd of "place hunters" who daily "bore" the Governor for office. They are nearly, to a man, "Whitewashed Yankees;" many of them openly professing their preference for American rule, and finding fault with British institutions, when at the same time the only knowledge they have of them, is derived from their native soil, in Nova Scotia or other parts of the Canadas. One of the first objects of Reformers should be to have "effective men" placed in every department of the civil service. Let the motto be, "fitness, not favor," and let not the stepping-stone to office be, the having sworn allegiance to a foreign power. Englishmen expect in coming to form a new colony and enduring many, many hardships to enjoy at least the same, if not greater privileges and freer laws than could be the lot of a densely populated kingdom like Great Britain. We do not want American or Americanized ideas, that make the revolver the arbiter of their disputes, or lynch law the practice of mob jurisdiction, casting aside the supreme law of the land, and overriding the constituted authorities of the state.

The writer will no doubt be accused of "agitation"—of ex-

The epithet "whitewashed Yankee" is vulgarly applied, in an approbrious sense to British subjects, who, having cast off their allegiance to their own government, return to British dominions and claim the privileges and rights of true Englishmen. The following is the oath: "I, A. B., do solemnly swear, that I will support the Constitution of the United States, and I do absolutely and entirely remove and abjure allegiance and fidelity to any foreign Prince, Potentate, State or Sovereignty whatever, and particularly to Victoria Queen of Great Britain, of whom I was a subject."



...ing the people to discontent; of putting things into their heads that they never considered evils or wrongs. Agitation may be considered hazardous, but there are times when it becomes necessary, not only to guard against, but to correct greater evils and wrongs. It is better to agitate now, and give an impetus to a reform movement, than to remain listless and regardless of our own and our children's interests.

Two important questions must immediately arise, in connexion with a Reform in the Legislative Assembly. First, the length of time the members are to be elected for, whether one, two, or three years; the present House has been sitting for two years. The second question will be, the desirableness of doing away with the property qualification of members. This barrier to effective representation, has been removed in the British Parliament.

There are many questions which a FREE Assembly could legislate upon: many inquiries could be made that would elicit information and truth. For instance, it is said that the Colony is indebted 100,000 pounds to the Hudson Bay Company. The colonists desire to know, how and for whose benefit their debt was contracted. They also would humbly pray for information as to how the funds arising from the enormous sales of land, have been disposed of! This of course would not be considered "agitation," because those who look around for the benefits resulting from this great outlay of money, can only see a church, a bridge, three or four roads, with a few log bridges to pass over the mud. The roads were made by Indian labour, and paid for with blankets, no doubt, charged at a MODERATE price to the Colonial account. The white emigrant was not employed—he had no chance of competing with the red skin. But still the 100,000—what is to show for it? It is said that Fort Rupert cost 50,000 pounds. The Company moved from a Russian fort they had occupied further north, and took possession of it: they also employed a Russian vessel as a guard ship. Now, this question must be "agitated." Is the Colony called upon to pay that 50,000 pounds for a fort that was built on a mere speculation of there being a coal mine in the district, and which has since been abandoned? True, they contracted to furnish 200,000 tons of coal to the Pacific Mail Company, before they had found 200 bushels; but if the mine had proved profitable

would the Colony have reaped the benefit, or, according to the practice of monopolist, would not the Hudson Bay Company have appropriated it for their own special benefit, and according to

"The good old rule, the simple plan,

That they should take who have the power,

And they should keep who can."

Thus far for the present. To carry out the principle of reform, it will be necessary to look closely to the administration, to observe the working of the Courts of Justice, to canvass the fees, and see if the poor man is not defrauded of his rights, and his just dues, by exorbitant official fees, scrutinize thoroughly all sales of land, and expose any chicanery that may be practiced. To examine accounts, and learn if there has not been misappropriation, and waste of the Colonial funds. To know what education, either by schools or public libraries, have been or are to be provided for the people, and what books may be admitted by the prison discipline into the jail: to watch all appointments to office, and see that the "right men are in the right place," and that ignorance, indifference and incompetence, are excluded; for freedom can only be where the best men rule and watch over it. Guard, then, your rights, be true to yourselves as Englishmen, and never forget your duty to your country and your God.

P. S.—Since the above was placed in the hands of the printer, a sketch of a bill has appeared in the newspapers, purporting to be a "new franchise bill." It is to be hoped that it will be printed after the first reading, and that parties outside the Assembly may have an opportunity of judging of its merits. Mr. McKay, who has charge of the bill, is one of the five nominees of the Hudson Bay Company, and one of the traders in that establishment; consequently, anything coming from that quarter connected with reform, must be looked upon with a jealous eye.

"I do not like thee, Doctor Fell,

The reason why I cannot tell—

I do not like thee, Doctor Fell."

Judging from the abstract, the measure is far behind the age. It has but one basis—property. It might have suited the days of Cromwell, who was careful to exclude the "populace," or have met with approval under the Tudor dynasty.

The object of civilized governments is security against wrong. The law protects citizen from citizen; but what but an Assembly representing a large portion of the community, would guard against wrong from the Government.

The proposition of Mr. McKay is too "uniform," and must necessarily exclude true popular elections. It places the country voter, who may not be able to either read or write, but who possesses 20 acres of land, in a position from which it excludes the barristers, physicians, schoolmasters, shipowners and merchants; the respectable mechanic, that strength of society, the middle class, and those who earn their bread by the sweat of their brow. By the right of suffrage alone can the voice—more particular of the latter class—be heard in the Legislature. This bill is offensive, because it is degrading to the feelings. Is not the writer of this letter as well qualified for the elective franchise as the feeder of swine, or the driver of oxen? Let us have a "diversified" suffrage, a balance of power; let the various classes of which society is composed, be fully represented, and let the people have their share in the legislation of their country.

Pluck the mask from the political clique that proposes a 100 pounds qualification for the right of voting in Victoria, and you have the barefaced, exclusive monopoly which has so long held the reins of power, and fettered the will of the people.

Let us have a 10 pound household suffrage, extending it to offices. Let Victoria be divided into four wards, and give us four members; this is a fair division. Let Esquimalt have the same franchise. Give it also to the rising towns when they reach a given number of qualified voters. Repeal the law which requires a property qualification from your members; fix a limit to the duration of your Assembly, and carry to the question of the franchise, the opinion of a statesman of modern times, "That the end of representation is not a medium between wealth and numbers, but a combination of the influences of both." It is the result of the separate action of property, deliberate opinion, and of popular spirit, on the different parts of the political system.